UNITED STATES PATENT AND TRADEMARK OFFICE

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10/796,196	03/10/2004	Thomas Fischer	Q78677	2445

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EXAMINER
GAMI, TEJAL

ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-14* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____ .

DETAILED ACTION

1.   This office action is responsive to a REQUEST FOR CONTINUED

EXAMINATION entered March 17, 2008 for the patent application 10/796196.

Status of Claims

2.   Claims 1-13 were rejected in the last Office Action dated October 18, 2007.

        As a response to the October 18, 2007 office action, Applicant has Amended

claims 1 and 5-3; and Added claim 14.

        Claims 1-14 are now pending in this office action.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Nixon et

al. (U.S. Patent Number: 6,032,208).

        As to independent claim 1, Nixon discloses a method for automatically

configuring a technology module (e.g., automatically assigned by configuration

software) (see Col. 29, Lines 22-23), for representing and controlling a technical

process system that is connected to a computer user station via at least one interface

for transferring data (e.g., control of the process is often implemented using

microprocessor-based controllers, computers or workstations which monitor the process

by sending and receiving commands and data to hardware devices to control) (see Col.

2, Lines 24-27), comprising:

a user specifying type of at least one process element of the process system and

the start address of a memory module associated with the process element (e.g., signal

type and entry in table) (see Figures 15 and 16; and Col. 28, Lines 32-39); and

automatically creating the technology module by allocating at least one of a signaling

functional element (e.g., signals to implement appropriate operational functions) (see

Col. 7, Lines 47-62), an archive data functional element (e.g., elements defined by the

function blocks with predefined templates stored in the library) (see Col. 3, Lines 31-37)

and a picture functional element to the process element based on the selected type of

the at least one process element (e.g., control template is defined as the grouping of

attribute functions that are used to control a process and the methodology used for a

particular process control function, the control attributes, variables, inputs, and outputs

for the particular function and the graphical views of the function as needed such as an

engineer view and an operator view) (see Col. 9, Lines 41-46), wherein the technology

module and the at least one signaling element, archive data element or picture element

are stored as a logically connected unit (e.g., the microprocessor or computer

associates each of the functions or elements defined by the function blocks with

predefined templates stored in the library and relates each of the program functions or

elements to each other according to the interconnections desired by the designer) (see Col. 3, Lines 31-37); and

wherein the logically connected unit is centrally processed and managed (e.g., central processing unit) (see Col. 9, Lines 24-30).

As to dependent claim 2, Nixon teaches the method as claimed in claim 1, wherein the data comprises at least one of process data, state data, open-loop data, and closed-loop control data (e.g., process control environment for transferring and receiving data and control signals) (see Col. 8, Lines 45-51).

As to dependent claim 3, Nixon teaches the method as claimed in claim 1, wherein a plurality of types of process elements are stored in a library (e.g., elements stored in the library) (see Col. 3, Lines 31-37).

As to dependent claim 4, Nixon teaches the method as claimed in claim 3, wherein the library is provided in the computer user station (e.g., computer associates elements stored in the library) (see Col. 3, Lines 31-37).

As to dependent claim 5, Nixon teaches the method as claimed in claim 1, wherein the at least one signaling functional element, archive data functional element or picture functional element is assigned respectively to individual types of process elements (e.g., signal type) (see Col. 28, Lines 32-39).

As to dependent claim 6, Nixon teaches the method as claimed in claim 5, wherein the at least one signaling functional element, archive data functional element and picture functional element is assigned to a group of types of process elements (e.g., signal type) (see Col. 28, Lines 32-39).

As to dependent claim 7, Nixon teaches the method as claimed in claim 5, further comprising modifying the allocation of the signaling functional element, archive data functional element or picture functional element to the individual types of process elements (e.g., signal type) (see Col. 28, Lines 32-39).

As to dependent claim 8, Nixon teaches the method as claimed in claim 6, further comprising modifying the allocation of the signaling functional element, archive data functional element or picture functional element to the group of types of process elements (e.g., signal type) (see Col. 28, Lines 32-39).

As to dependent claim 9, Nixon teaches the method as claimed in claim 1, wherein the signaling functional element is configured to detect object-specific signals of the process element in the computer user station (e.g., signals to configure the central processing unit to implement appropriate operational functions) (see Col. 7, Lines 47-62).

As to dependent claim 10, Nixon teaches the method as claimed in claim 1, wherein the archive data functional element is configured to archive at least one of state data or process data of the process element in the computer user station (e.g., elements defined by the function blocks with predefined templates stored in the library) (see Col. 3, Lines 31-37).

As to dependent claim 11, Nixon teaches the method as claimed in claim 1, wherein the picture functional element is configured to display at least one of object-specific signals, state variables or process variables of the process element on the user interface of the computer user station (e.g., control template is defined as the grouping

of attribute functions that are used to control a process and the methodology used for a particular process control function, the control attributes, variables, inputs, and outputs for the particular function and the graphical views of the function as needed such as an engineer view and an operator view) (see Col. 9, Lines 41-46).

As to dependent claim 12, Nixon teaches the method as claimed in Claim 1, wherein said assigning and said automatic creating are during configuration of the technology module (e.g., automatically assigned by configuration software) (see Col. 29, Lines 22-23).

As to dependent claim 13, Nixon teaches the method as claimed in Claim 12, wherein during said automatic creating, a technology module is generated to correspond to the at least one process element specified by the user and wherein, for the generated technology module, at least one of the signaling functional element, the archiving functional element, and the picture functional element is automatically created and allocated (e.g., signal type) (see Col. 28, Lines 32-39).

As to dependent claim 14, Nixon teaches the method according to claim 1, wherein the signaling functional element, the archive data functional element and the picture functional element are assigned to the specified type of the process elements (e.g., control template is defined as the grouping of attribute functions that are used to control a process and the methodology used for a particular process control function, the control attributes, variables, inputs, and outputs for the particular function and the graphical views of the function) (see Col. 9, Lines 41-46).

Response to Arguments

6.   Applicant's arguments filed March 17, 2008 are moot in light of new grounds of rejections.

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tejal J. Gami whose telephone number is (571) 270-1035. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert DeCady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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